



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,) 2:13-CR-398-APG-(GWF)
Plaintiff,)
v.) Final Order of Forfeiture
MARK ANTHONY NEWTON,)
Defendant.)

The United States District Court for the District of Nevada entered a Preliminary Order of Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2) and Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) with Title 28, United States Code, Section 2461(c) based upon the plea of guilty by defendant Mark Anthony Newton to the criminal offenses, forfeiting the property set forth in the Forfeiture Allegations of the Criminal Indictment and shown by the United States to have the requisite nexus to the offense to which defendant Mark Anthony Newton pled guilty. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. 42; Preliminary Order of Forfeiture, ECF No. 44.

This Court finds the United States of America published the notice of forfeiture in accordance with the law via the official government internet forfeiture site, www.forfeiture.gov, consecutively from September 24, 2014, through October 23, 2014, notifying all potential third parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 45.

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1 This Court finds the United States of America notified known third parties by personal
2 service, or by regular mail and certified mail return receipt requested, of their right to petition the
3 Court. Notice of Filing Service of Process – Mailing, ECF No. 46.

4 On September 23, 2014, the United States Attorney's Office attempted to serve Erceel F.
5 Stubbs with copies of the Preliminary Order of Forfeiture and the Notice through regular and
6 certified mail, return receipt requested. Internet and database searches in October 2014, by the
7 Federal Bureau of Investigation and the United States Attorney's office for the District of
8 Nevada, revealed that Erceel F. Stubbs died on July 5, 1999. Notice of Filing Service of Process
9 – Mailing, ECF No. 46.

10 This Court finds no petition was filed herein by or on behalf of any person or entity and
11 the time for filing such petitions and claims has expired.

12 This Court finds no petitions are pending with regard to the property named herein and
13 the time for presenting such petitions has expired.

14 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all
15 right, title, and interest in the property hereinafter described is condemned, forfeited, and vested
16 in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R.
17 Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States
18 Code, Section 2461(c); Title 18, United States Code, Section 924(d)(1), (2)(C), and (3)(A) with
19 Title 28, United States Code, Section 2461(c); and Title 21, United States Code, Section
20 853(n)(7) and shall be disposed of according to law:

- 21 1. a Jennings Bryco .25 caliber semi-automatic handgun bearing serial number
22 233077; and
23 2. any and all ammunition
24 (all of which constitutes property).

25 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
26 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well

1 as any income derived as a result of the United States of America's management of any property
2 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
3 according to law.

4 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
5 of this Order to all counsel of record.

6 DATED this 6th day of September, 2017.

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UNITED STATES DISTRICT JUDGE